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2021 Child Welfare Caseload And Workload Analysis

January 2021

Required by:
Public Law 2019, Ch.34

Maine Department of Health and Human Services
Office of Child and Family Service

INTRODUCTION AND BACKGROUND

Reporting Requirement

Public Law 2019, Ch. 34 (LD 821) requires the Department of Health and Human Services “to review case load standards for child welfare caseworkers and develop standard case load recommendations with input from child welfare caseworkers and the Public Consulting Group (PCG) contracted by the Department.” It further requires that “the department shall submit an initial report with its findings and recommendations on staffing in the department's child welfare program in relation to the standard case load recommendations no later than October 1, 2019 and subsequent annual reports by January 31st of each year beginning in 2020 and ending in 2030.” This report represents the 2021 report on caseload and workload for child welfare staff within the Office of Child and Family Services (OCFS).

Workload Analytic Tool

In 2019, OCFS and contracted provider Public Consulting Group collaborated to develop a workload analytic tool to determine OCFS’ need for additional staff. The workload analytic tool is specific to Maine and is based on factors which impact the of work required of OCFS child welfare staff based on federal guidelines, state statute and regulations, and OCFS policy. The tool also accounts for the specific work of different types of caseworkers, including:

- Investigation staff who investigate allegations made in appropriate reports
- Permanency staff who support the reunification process when children have been removed from their parents
- Adoption staff who seek permanent homes for children who cannot safely return to their parents
- Licensing staff who oversee the licensing of resource families and provide day-to-day support to those families

During 2020, OCFS continued to work to refine the workload analytic tool to ensure that as much as possible it accounts for the impact of each type of worker’s assigned duties and functions, as well as the impact of case-specific variables such as the number of children in a family or the amount of time required to travel to see case participants.

Caseload and Workload Definitions

In the 2020 report, OCFS set forth definitions of the terms caseload and workload to guide the Department’s work related to LD 821. OCFS utilized the expertise of the Child Welfare League of America (CWLA) in establishing the distinction between caseload and workload.¹

- **Caseload = Cases / Workers:** The number of cases (children or families) assigned to an individual caseworker in a given time period. Caseload reflects a ratio of cases (or clients) to staff members and may be measured for an individual caseworker, all caseworkers assigned to a specific type of case, or all caseworkers in a specified area (e.g., agency or region).
- **Workload = (Time required for cases + Non-casework responsibilities) / Workers:** The development of reasonable workload standards helps to guide an organization towards the establishment of caseload expectations. In order to understand how many cases a caseworker can effectively manage, one must first understand the work inherent in each case and the time necessary to complete all parts of the work, as well as any expectations which do not directly serve children and families but are required when carrying cases.

¹ Child Welfare Caseload and Workload: A Synthesis of the Evidence Base, Current Trends and Future Directions (2018).

It is important to note that there are no universally accepted standards for caseload and workload among child welfare staff throughout the country. Each state has its own statutes, regulations, policies, and guiding principles which impact both caseload and workload, making it nearly impossible to equate the work of child welfare staff in two different jurisdictions.

Staffing Initiatives

Since September of 2018, OCFS has benefitted from several initiatives which have increased staffing within child welfare, including new caseworker, supervisor, and support staff positions. These new staff have made a tremendous difference in OCFS’ ability to provide high-quality child welfare services throughout the state.

DATA-INFORMED ANALYSIS

OCFS strongly believes that well-informed decisions about workload and caseload cannot be made without also considering current data and trends. Although the workload analytic tool considers many of these data points, it is also beneficial to examine the specific data points and the way in which they may be impacting child welfare staff. In calendar year 2019, OCFS averaged 920 new reports per month of suspected abuse and/or neglect which were deemed appropriate for investigation. In 2020 that number was 879, a 4.5% decrease.

2020 also saw an increase in the number of children in state custody. As of 12/31/2020 there were 2,279 children in care, one year prior that number was 2,219. OCFS experienced a high of 2,378 children in state custody in October of 2020, but that number has steadily declined over the ensuing weeks. OCFS has dedicated considerable resources in analyzing both entries and exits from care over the last year. This work has revealed no specific event or spike in the number of children in care, but instead identified several factors delaying children’s timely exit from care, including delays in court hearings and the adoption process due to the COVID-19 pandemic which began in March. Since identifying this issue, OCFS has collaborated both internally and externally to address delays.

RESULTS

District - Counties	December 2020 Number of Caseworkers	Needed Number of Caseworkers	Difference
1 – York	50	49	(1)
2 – Cumberland	58	52.5	(5.5)
3 – Franklin, Oxford, Androscoggin	54	76.4	22.4
4 – Sagadahoc, Lincoln, Knox, Waldo	25	28.7	3.7
5 – Kennebec, Somerset	67	76.2	9.2
6 – Piscataquis, Penobscot	52	60.5	8.5
7 – Hancock, Washington	22	22.1	.1
8 – Aroostook	30	35.1	5.1
Total	358	400.5	42.5

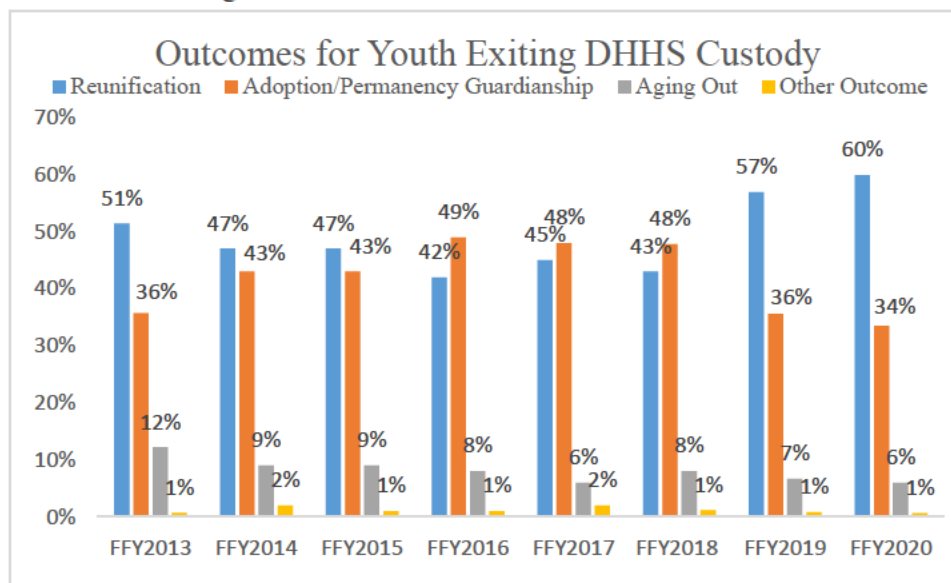
The workload analytic tool results for December 2020 show a need for 42.5 additional caseworkers. The current number of caseworkers (358) includes positions added in three separate initiatives over the last two and a half years, but OCFS believes there are other factors, beyond just the number of caseworkers that are driving the workload analytic tool’s results. Chief among them is the experience-level of OCFS child welfare staff. Over the last few years, OCFS has added over 50 caseworker positions within child

welfare. While these staff were greatly needed and have made an impact on OCFS' ability to serve children and families, they have also decreased the overall level of experience among child welfare field staff. In addition, along with new caseworker positions came new supervisory positions to ensure adequate supervisory oversight and support for field staff. All of these supervisory positions were filled by seasoned child welfare caseworkers, which also had an impact on the overall level of experience among OCFS caseworkers.

The complexity of child welfare work cannot be understated. The impact of the many factors contributing to child abuse and neglect issues for a given family can vary significantly from case to case. These nuances, combined with the various policy and procedural guidelines staff must follow, including those dictated by the federal government, state statute, the courts, and OCFS' own policies and procedures, take a significant amount of real-world experience in the child welfare system to fully comprehend and coordinate. OCFS staff are remarkably dedicated to their work and care deeply about ensuring the safety and well-being of children and families, but it is not realistic to expect a caseworker with six months of experience to function at the same level as one with six or sixteen years of experience.

Reunification

In 2019, OCFS exited an average of 30% of children in care to permanency within 12 months (the federal goal is 40.5% of children exiting within 12 months). Permanency includes reunification with parents, adoption, and permanency guardianship. Maine's average declined to 26% of children exiting to permanency within 12 months in 2020 and the average length of a child's time in care rose from 19 months in 2019 to 20 months in 2020. OCFS has closely monitored these trends and has determined that one of the driving factors is the focus on safe reunification of children with their parents whenever



possible. In Federal Fiscal Year 2020, 60% of the children who exited state custody did so to reunification. Just four years before, in FFY16, that number was 42%. Over the last two years the number of children exiting to reunification has exceeded the number exiting to adoption or permanency guardianship, a reversal of a multi-year trend which saw adoption outpacing reunification.

While reunification is the goal for nearly every child that enters the Department's custody, OCFS also recognizes that safe reunification of a child with his or her parents takes time and considerable effort from dedicated caseworkers and supervisors. One of the core beliefs that drives OCFS' work is that children should be raised in their family whenever safely possible. That commitment to reunification in turn drives the work of permanency staff and increases the workload impact of each case on field staff. This is particularly true in certain types of cases where meaningful and sustainable changes in family functioning take time. For example, over the last few years over 50% of all cases where children have been removed from the care of their parents have involved substance use as a risk factor. In these cases,

caseworkers must ensure parents have the services and supports to engage in effective substance use treatment and make meaningful and sustainable changes that will ensure the safety of their children and prevent the need for their child to reenter the Department's care in the future. The data indicates that the efforts of OCFS staff in this area are having an impact on the long-term outcomes for children and families. From 2017-2019 the average percentage of children exiting care to reunification was 53%. Over that same time period, the average reunification rate for children whose case involved substance use at the time of removal was 55%. OCFS has closely examined the implications of substance use on reunification and the data reflects that parents in need of or receiving substance use treatment take, on average, an additional three months to reunify with their children when compared to those whose cases do not involve substance use. Despite the complexities of these cases OCFS staff are ensuring that reunification is occurring whenever safely possible.

Impact of COVID-19

COVID-19 has introduced additional complexity into child welfare operations. This includes direct impacts to staffing, such as staff who must take time away from work to quarantine and others who cannot work a regular schedule due to child care needs or health concerns. There are also many impacts that are less direct but are having an undeniable impact on the workload of OCFS staff, including planning to meet the educational needs of children in care during the pandemic, working to support resource parents who are caring for children in care, ensuring visits between children and parents are frequent and safe, coordination of transportation for parents and children, etc.

Another major impact of COVID-19 that affects a small fraction of the number of children in care but has a much larger impact on OCFS staff is the lack of availability of residential treatment programs for children who qualify for that level of care. Only 3% of children in state custody are placed in residential care, which equates to approximately 68 children based on the number of children in care at the end of December of 2020. Congregate care settings, including children's residential providers, have been impacted significantly by COVID-19 as it has diminished their capacity while they work to maintain physical distance, ensure adequate staffing, and complete required cleaning and sanitizing. Some residential providers outside of Maine, which are typically considered a last-resort option when there is no capacity within Maine to meet a child's' needs, are unable to accept children from out-of-state due to quarantine requirements and concerns about the risk of introducing COVID-19 into their program. When children are not able to receive the level of care they require due to lack of residential capacity it puts a strain on OCFS staff, whether it is due to efforts to maintain the child in a foster home until residential care becomes available, supervising a child in an emergency department while they await residential care, or working collaboratively with children's behavioral health services (CBHS) staff to seek safe and appropriate care for a child on their caseload.

PLANNING FOR 2021

In 2021 OCFS will continue our work with the Muskie School of Public Service at the University of Southern Maine to ensure ample and effective training opportunities are in place for staff. OCFS is also partnering with Muskie to review, revise, and update policies that guide the work of child welfare staff. These policies are an integral part of child welfare operations, guiding decisions throughout the life of a case, and OCFS wants to ensure they provide comprehensive support to staff as they complete their work. Included in these efforts is a review of policies and procedures to ensure racial equity throughout child welfare operations.

Over the last few months, OCFS has engaged in efforts to implement a permanency review process to ensure children exit care to permanency as swiftly and as safely as possible. These efforts have already begun to have an impact on the number of children in care, which has decreased over the last few

months. This focus will ensure that cases do not linger unnecessarily. At the same time, OCFS is also examining entries into care and updating policies and procedures to focus on services and supports for families to prevent the need for the removal of a child. These efforts include updating guidance regarding safety planning whereby the Department and the family work together to make a plan for family support to keep the child(ren) safe in the home while the parents and children engage in services to improve family functioning and manage issues that create concern for child abuse and/or neglect..

This work aligns with OCFS' efforts to implement the Federal Family First Prevention Services Act (FFPSA). OCFS' goal is to fully implement FFPSA by October of 2021. One of the primary objectives of this federal legislation is preventing removal whenever safely possible. Under FFPSA OCFS will be able to claim Federal IV-E reimbursement for the cost of evidence-based prevention services provided to children who meet the definition of "candidate for foster care". To put it simply, implementation of FFPSA will allow OCFS to pull down federal matching funds to provide services that are likely to improve family functioning and prevent the need for removal. FFPSA represents a major change in the availability of prevention services in the work of child welfare. OCFS has focused considerable attention and effort on thoughtful and thorough implementation, which will continue into 2021 and will involve child welfare staff as we seek to equip them with the knowledge and resources they need to prevent removal whenever possible.

In addition, OCFS must account for the ongoing impact of COVID-19 of child welfare operations in 2021. Over the last year, with the help of our partners in public health and the medical field, we have learned a considerable amount about how to keep staff, children, and families safe during this pandemic. Maine recently received its first doses of vaccine for COVID-19, but it will be some time before a significant number of Maine's population can be vaccinated. Child welfare leadership continues to focus on supporting staff as they ensure the safety and well-being of children and families statewide during this pandemic. OCFS also recognizes that the landscape of the pandemic is frequently changing, resulting in the need to update staff and child welfare stakeholders. In 2021, OCFS' goal is to continue to provide staff with the resources and information needed to meet the ever-evolving demands brought on by COVID-19.

ALTERNATIVE RESPONSE PROGRAM (ARP)

Governor Mills has requested 15 additional staff for OCFS in her budget proposal in order to make changes to Maine's current Alternative Response Program (ARP) to meet the needs of children and families throughout the state. ARP is currently provided by a network of contracted providers. Reports deemed appropriate for investigation where the allegations of abuse and/or neglect are of low to moderate severity can be referred to an ARP provider. The goal is for the provider to work with the family to assess and improve family functioning.

Over the last few years OCFS has closely analyzed ARP and its impact on children and families. One of the primary concerns identified was the potential inequity in response between a child welfare intervention and ARP intervention. ARP staff are not trained to investigate reports in the same way that OCFS staff are. They have no authority to make findings of abuse or neglect. As a result, two similar cases could have two different outcomes if one is referred to ARP and one receives a child welfare investigation.

Efforts to implement FFPSA have also brought renewed focus to the role of ARP in Maine's child welfare system. In some ways the goals of FFPSA are very similar to ARP, while at the same time the

impact and effectiveness of contracted staff versus OCFS staff serving these families cannot be minimized.

After much consideration OCFS has recommended ending the Alternative Response Program contracts, which will require 15 additional child welfare staff in order to take on the work previously completed by ARP without negatively impacting current investigation staff. From October thru December of 2020, an average of 109 appropriate reports were referred to ARP each month. The addition of these investigations on OCFS staff without a corresponding increase in the number of investigation staff to complete the work would be unduly burdensome to staff and directly impact the quality of OCFS' investigations.